

*A2*  
*Ch*

- 47) (New) The method according to claim 46, further comprising drying said seed.
- 48) (New) The method according to claim 47, further comprising processing said seed.
- 49) (New) A method for producing a hybrid watermelon variety comprising:
  - a) planting in a field a first and a second watermelon plant, wherein said first watermelon plant is the male parent, wherein said second watermelon plant is the female parent, wherein said first or said second watermelon plant is a watermelon plant according to claim 29;
  - b) conducting pollination;
  - c) harvesting seed from said female parent, wherein said seed is seed of a hybrid watermelon variety.

---

#### REMARKS

The Deposit Section of the specification has been amended to include the Deposit number of watermelon pollenizer line NO1F3203B. The Deposit number of watermelon pollenizer line NO1F3203B is also reflected in the new claims submitted herewith.

Support for new claims 28-45 is found in the claims as originally filed and in Applicant's specification at page 6, lines 18-20 and page 12, in the Deposit section.

Support for new claims 46-48 is found at page 8, lines 26-30, of Applicant's specification.

Support for new claim 49 is found at page 9, lines 7-9, of Applicant's specification.

Applicant believes there is no fee required for this response. However, the Commissioner is hereby authorized to charge any fees under 37 CFR §1.17, which may be required, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

If any additional information is needed, the Examiner is invited to call the undersigned at (919) 765-5117.

Respectfully submitted,



Edouard G. Lebel, Ph.D.  
Reg. No. 43,742  
Agent for Applicants  
Phone: 919-765-5117

Syngenta Biotechnology, Inc.  
Patent Department  
P.O. Box 12257  
Research Triangle Park, NC 27709-2257

Date: January 17, 2003

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

The first full paragraph on Page 12 has been amended as follows:

Applicants have made a deposit of at least 2500 seeds of enhanced watermelon pollenizer line NO1F3203B with the American Type Culture Collection (ATCC), Manassas, Virginia, 20110-2209 U.S.A., ATCC Deposit No: PTA-4856. This deposit of the enhanced watermelon pollenizer line NO1F3203B will be maintained in the ATCC depository, which is a public depository, for a period of 30 years, or 5 years after the most recent request, or for the effective life of the patent, whichever is longer, and will be replaced if it becomes nonviable during that period. Additionally, Applicants have satisfied all the requirements of 37 C.F.R. §§1.801-1.809, including providing an indication of the viability of the sample. Applicants impose no restrictions on the availability of the deposited material from the ATCC; however, Applicants have no authority to waive any restrictions imposed by law on the transfer of biological material or its transportation in commerce. Applicants do not waive any infringement of its rights granted under this patent or under the Plant Variety Protection Act (7 USC 2321 et seq.).

In the claims:

Claims 1-27 have been cancelled.

Claims 28-49 have been added.